

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

RICHARD W. SHIELDS, Register No. 42700,)	
)	
Plaintiff,)	
)	
v.)	No. 06-4003-CV-C-NKL
)	
MISSOURI DEPT. OF CORRECTIONS, et al.,)	
)	
Defendants.)	

ORDER

On August 9, 2006, the United States Magistrate Judge recommended that defendants' motion to dismiss be denied. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

IT IS, THEREFORE, ORDERED that the Magistrate Judge's August 9, 2006 Report and Recommendation is adopted [17]. It is further

ORDERED that defendants' motion to dismiss is denied [12].

/s/ _____

NANETTE K. LAUGHREY
United States District Judge

Dated: August 29, 2006
Jefferson City, Missouri